

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of NICKOLAS KEMMONTAE  
LONG, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

THERESEA MICHELLE LONG,

Respondent-Appellant,

and

CALVIN BOGART,

Respondent.

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UNPUBLISHED

December 16, 2004

No. 253480

Oakland Circuit Court

Family Division

LC No. 02-666912-NA

Before: Murphy, P.J., and White and Kelly, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right the trial court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). This case is being decided without oral argument pursuant to MCR 7.214(E). We affirm.

The trial court did not clearly err in determining that the statutory grounds had been established by clear and convincing evidence. *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991). This case commenced after respondent-appellant left the minor child, then aged three, alone with his half-brother, then aged 13½, for three days while she was on a substance abuse binge. The minor child was taken into temporary care, and respondent-appellant entered into a parent-agency agreement that focused on her substance abuse. Other issues she needed to address included counseling, parenting classes, employment, and stable housing. Respondent-appellant complied with some of the conditions of the parent-agency agreement but failed to adequately address the substance abuse issue, claiming that she needed more help although she did not avail herself of the services provided to her. The trial court made it clear over the course of the proceedings that addressing her substance abuse needed to be respondent-appellant's priority. However, after a period of time, she stopped attending counseling sessions, stopped providing drug screens, and even stopped visiting the minor child. Respondent-appellant did not even attend the termination

trial. These failures, along with the evidence reflecting that respondent-appellant was dismissed from a work program for failure to show, never provided proof of housing, and admitted that she could not care for the minor child, lead us to conclude that the trial court did not clearly err in finding that the statutory grounds for termination of respondent-appellant's parental rights had been established. The trial court did not place undue emphasis on respondent-appellant's noncompliance with the parent-agency agreement but focused on respondent-appellant's lack of follow through in addressing her substance abuse issues and her plea for additional help despite not participating in all of the services offered to her.

Furthermore, the evidence did not show that termination of respondent-appellant's parental rights was not in the best interests of the minor child. MCL 712A.19b(5). Although there was a bond between respondent-appellant and the minor child, it had been a year and a half since the minor child was taken into care at age three. The court appropriately focused on the fact that the minor child needed permanency and respondent-appellant was unable to show long-term consistency in order to effectively parent the child.

Affirmed.

/s/ William B. Murphy

/s/ Helene N. White

/s/ Kirsten Frank Kelly